

**Notice of Allowability**

Application No.

09/458,321

Examiner

Vivek Srivastava

Applicant(s)

SON ET AL.

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/15/04.
2. ☒ The allowed claim(s) is/are 10-13, 15-18, 20-26, 28 and 29.
3. ☒ The drawings filed on 06 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**VIVEK SRIVASTAVA**  
**PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steve Hartsburg on 1/21/05.

The application has been amended as follows:

- claim 10, in the last line of the claim, after the word channels, delete the period - . – and replace it with a semi-colon “;”.
- Claim 10, line 10, delete the second – and -
- Claim 10, in the last line of the claim, after the word channels, insert “ **and adapting said selected navigational asset version provided to said at least on set top terminal without reprocessing the selected video content, wherein said selected video content includes a plurality of interspersed NULL packets, such that at least a portion of said NULL packets are replaced by navigational asset packets associated with said selected video content version.**”

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- Claim 17, in the last line of the claim, after the word level, delete the period - .  
– and replace it with a semi-colon “;”
- Claim 17, line 17, deleted the word – and –
- Claim 17, in the last line of the claim, after the word level; insert  
**“interspersing NULL packets amongst each version of multimedia video-on-demand (VOD) information; and adapting navigator assets provided to the STT without reprocessing requested video content, such that at least a portion of said NULL packets are replaced by navigator asset packets associated with said requested video content version.”**
- Claim 23, line 17, deleted the second word – and –
- Claim 23, in the last line of the claim, deleted the period - . – after the word channels and replace it with a comma “,”
- Claim 23, in the last line of the claim, after the word channels, insert **“and wherein said versions of content include a plurality of interspersed NULL packets, such that at least a portion of said NULL packets are replaced by navigational asset packets associated with said video content version.”**
- Claim 30 will be deleted
- Claim 31 will be deleted
- Claim 32 will be deleted

Claims 10 – 13, 15 – 18, 20 – 26, 28 and 29 are allowed.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (703) 305-4038. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs  
1/21/05

  
VIVEK SRIVASTAVA  
PRIMARY EXAMINER